

CLARK
&
BRODY

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March 18, 2005

Mr. Kevin Diggs
MAIL STOP - DUPLICATES
U.S. Patent and Trademark Office
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Resubmission of Divisional Application

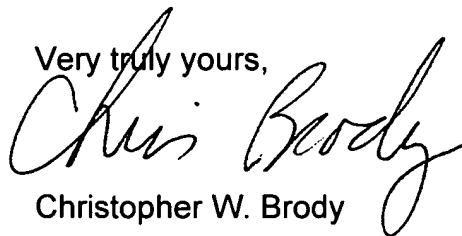
Dear Mr. Diggs:

Further to our conversation on March 11, 2005, I'm enclosing herewith an exact duplicate copy of the Divisional Application that was filed at the U.S. Patent and Trademark Office on March 19, 2004. I'm also enclosing a copy of the Information Disclosure Statement that was filed subsequently on May 14, 2004. These are all the documents that have been filed for this application thus far.

In addition to the application documents, I am forwarding a copy of the check that was submitted with the application. Our bank has confirmed that the U.S. Patent and Trademark Office cashed our check, hence, there should be no further fees due at this time. I've also attached a copy of our Bank Statement for March 2004 showing that the check has cleared.

Should you have any questions, please do not hesitate to contact us. Thank you for your assistance in this matter.

Very truly yours,



Christopher W. Brody

CWB/mg
Enclosures

CLARK & BRODY

333

DATE : Mar 18/2004
CHE # : 333
AMOUNT: \$385.00
ACCOUNT: GENERAL - 5
PAID TO: Commissioner of Patents & Trademarks

New Divisional Application (12056-0003DV)

CLIENT: 12056 - Yoshifumi Matsunami
MATTER: 12056-0003DV

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER AND ORIGINAL DOCUMENT SECURITY SCREEN ON BACK WITH PADLOCK SECURITY ICON.

CLARK & BRODY

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WASHINGTON, DC 20006

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AMOUNT

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\$385.00

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PAY
TO THE
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Commissioner of Patents & Trademarks

New Divisional Application (12056-0003DV)

Yoshifumi Matsunami

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New Divisional Application (12056-0003DV)

*Cleared the
bank on 3/24/04*

LAWYER: Christopher W. Brody
19-4, Chiyoda 2-chome

Nagoya
Japan
460-001212056-0003DV

U.S. Patent Application ☐ Carbohydrate Absorption Inhibitor and Method for M

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Account Statement

Checks	Check Number	Amount	Date Paid	Check Number	Amount	Date Paid	Check Number	Amount	Date Paid
	318	80.00	03/18	334	247.22	03/23	*356	606.10	03/30
	319	856.00	03/18	335	652.68	03/23	357	21.80	03/31
	320	80.00	03/19	336	101.76	03/24	*365	25,000.00	03/29
	321	971.00	03/19	337	37.80	03/24	366	25,000.00	03/29
	*323	300.00	03/25	338	227.74	03/25	*368	240.00	03/31
	324	300.00	03/25	*340	385.00	03/24	*333 303	2,626.52	03/11
	*326	170.00	03/22	341	810.00	03/24	*333 325	860.00	03/22
	327	100.00	03/25	*345	770.00	03/26	276	80.00	03/04
	328	55.00	03/22	346	1,538.00	03/30	268	442.00	03/08
	329	100.00	03/25	347	770.00	03/26	344	3,391.00	03/25
	330	100.00	03/25	348	460.00	03/31	339	209.85	03/29
	331	1,000.00	03/24	*350	1,050.00	03/30	358	616.25	03/31
	*333	385.00	03/24	*352	810.00	03/31			

Checks: 92

*Break in check sequence

Withdrawals/Debits	Date Paid	Amount	Serial #	Description
	03/04	7,680.00		OUTGOING INTL WIRE DR TRN #011780
	03/04	10,000.00		OUTGOING INTL WIRE DR TRN #011685
	03/11	2,953.60		OUTGOING INTL WIRE DR TRN #008813
	03/18	810.90		OUTGOING INTL WIRE DR TRN #009356
	03/19	106.50		ACCOUNT ANALYSIS FEE
	03/25	355.00		OUTGOING INTL WIRE DR TRN #013223
	03/25	400.00		OUTGOING INTL WIRE DR TRN #013060
	03/25	432.45		OUTGOING INTL WIRE DR TRN #013014
	03/25	507.33		OUTGOING INTL WIRE DR TRN #013144

Withdrawals/Debits: 9

Balance Activity History	Date	Balance	Collected Balance	Date	Balance	Collected Balance
	03/01	103,126.68	103,033.68	03/17	84,671.61	84,671.61
	03/02	92,674.62	92,674.62	03/18	106,857.56	82,610.56
	03/04	108,165.86	74,835.86	03/19	105,351.31	102,006.31
	03/05	99,014.92	90,602.92	03/22	102,161.49	100,694.49
	03/08	98,642.42	98,283.42	03/23	101,484.89	101,484.89
	03/09	85,853.29	85,853.29	03/24	102,323.93	102,323.93
	03/10	74,773.29	74,773.29	03/25	172,294.58	97,311.58
	03/11	69,676.01	59,765.01	03/26	174,384.08	167,524.08
	03/12	83,604.61	73,693.61	03/29	124,174.23	124,003.23
	03/15	82,947.51	82,452.51	03/30	122,165.63	122,165.63
	03/16	82,014.57	82,014.57	03/31	123,537.78	123,537.78

Applicant: Yotaro KONISHI et al.

Docket No.: 12056-0003DV

New Divisional Application of 10/343,488 Filing Date: March 19, 2004

Title: METHOD OF TREATING DIABETES AND OBESITY USING
CARBOHYDRATE ABSORPTION INHIBITORS

PAPERS BEING FILED:

1. Utility Transmittal (1 pg)
2. Fee Transmittal (1 pg)
3. Preliminary Amendment (5 pgs)
4. Specification/Claims/Abstract (22 pgs)
5. Drawings (5 shts)
6. Copy of Combined Declaration & POA from parent (2 pgs)
7. Copy of Recorded Assignment from parent (5 pgs)
8. Check # 333 (\$385.00)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TODAY'S DATE: March 19, 2004

Atty: CWB/mg

Applicant: Yotaro KONISHI et al.

Docket No.: 12056-0003DV

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TODAY'S DATE: March 19, 2004

Atty: CWB/mg

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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL (Only for new non-provisional applications under 37 C.F.R. 1.53(b))	Attorney Docket No.	12056-0003DV
	First Inventor	Yotaro KONISHI et al.
	Title	METHOD OF TREATING DIABETES AND OBESITY USING CARBOHYDRATE ABSORPTION INHIBITORS

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)</p> <p>2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification {Total Pages 22} (preferred arrangement set forth below) - Descriptive title of the Invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure</p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) Total Sheets 5</p> <p>5. Oath or Declaration Total Sheets 2 a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) (for a continuation/divisional with Box 18 completed) i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p>	<p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies</p> <p>ACCOMPANYING APPLICATION PARTS</p> <p>9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))</p> <p>10. <input type="checkbox"/> 37 C.F.R. §3.73(b) Statement <input checked="" type="checkbox"/> Power of (when there is an assignee) Attorney</p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>13. <input checked="" type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>16. <input type="checkbox"/> Non-publication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.</p> <p>17. <input checked="" type="checkbox"/> Other: Copy of Recorded Assignment from Parent Application recorded on December 2, 2003 at Reel 014165, Frame 0287.</p>

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)

of prior application No: 10/343,488

Prior application information: Examiner: Susan D. Coe Group / Art Unit: 1654

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS					
<input checked="" type="checkbox"/> Customer Number		22902		or <input type="checkbox"/> Correspondence address below	
Name					
Address					
City		State		Zip Code	
Country		Telephone		Fax	

Name (Print/Type)	Christopher W. Brody	Registration No. (Attorney/Agent)	33,613
Signature		Date	March 19, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2004</h2> <p style="font-size: small; margin: 5px 0;">Effective 10/01/2003. Patent fees are subject to annual revision.</p>		Complete if Known	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	Divisional Application of 10/343,488
		Filing Date	March 19, 2004
		First Named Inventor	Yotaro KONISHI et al.
		Examiner Name	Susan D. Coe
		Art Unit	1654
TOTAL AMOUNT OF PAYMENT (\$) 385		Attorney Docket No.	12056-0003DV

METHOD OF PAYMENT (check all that apply)					FEE CALCULATION (continued)																																																																																																																																																																																																		
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other <input type="checkbox"/> None Order <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 50-1088 Deposit Account Name: Clark & Brody <p style="font-size: x-small;">The Director is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.</p>					3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17 (q)</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="6">Other fee (specify) _____</td></tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td style="text-align: right;">SUBTOTAL (3)</td> <td style="text-align: right;">(\$) 0</td> </tr> </tbody> </table>					Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	420	2252	210	Extension for reply within second month		1253	950	2253	475	Extension for reply within third month		1254	1,480	2254	740	Extension for reply within fourth month		1255	2,010	2255	1,005	Extension for reply within fifth month		1401	330	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,330	2453	665	Petition to revive - unintentional		1501	1,330	2501	665	Utility issue fee (or reissue)		1502	480	2502	240	Design issue fee		1503	640	2503	320	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))		1801	770	2801	385	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application		Other fee (specify) _____						*Reduced by Basic Filing Fee Paid				SUBTOTAL (3)	(\$) 0
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SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	Christopher W. Brody	Registration No. (Attorney/Agent)	33,613	Telephone	202-835-1111
Signature		Date	March 19, 2004		

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